

# State of South Dakota

## EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

400Q0232

### HOUSE BILL NO. 1063

Introduced by: The Committee on Agriculture and Natural Resources at the request of the  
State Brand Board

1 FOR AN ACT ENTITLED, An Act to revise certain brand registration provisions concerning  
2 out-of-state brands on cattle sold in the livestock inspection area.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 40-19-10.1 be amended to read as follows:

5 40-19-10.1. No person may bring cattle branded with a brand registered in another state into  
6 the ownership inspection area for grazing or feeding purposes without a permit authorized by  
7 the board. If the brand is a duplicate of or conflicts with a brand issued pursuant to this chapter,  
8 a permit may only be issued at the discretion of the board. No permit is required if the cattle are  
9 rebranded with a brand registered pursuant to this chapter. The application for a permit shall be  
10 on a form approved by the board and shall be signed by the owner of the cattle. Any calves born  
11 to cattle which are subject to the permit may be branded with the out-of-state brand upon prior  
12 written notice to the board. The calves shall be added to the permit. No cattle or calves subject  
13 to the permit may be removed from the ownership inspection area, sold, or slaughtered without  
14 an ownership inspection.

15 No person may brand any cattle imported into or purchased within the ownership inspection



1 area for feeding purposes with a brand registered in another state without a permit authorized  
2 by the board. No permit may be issued if the brand is a duplicate of or conflicts with a brand  
3 issued pursuant to this chapter. The application for a permit shall be signed by the owner of the  
4 cattle. No cattle subject to the permit may be removed from the ownership inspection area, sold,  
5 or slaughtered without an ownership inspection.

6 Cattle purchased at a licensed livestock auction market in the ownership inspection area may  
7 be branded with the owner's out-of-state brand if the cattle are branded at the market, are  
8 purchased for export from the state within two calendar days of purchase, and an authorization  
9 form is obtained from the board prior to branding the cattle.

10 A violation of this section is a Class 1 misdemeanor.